Division Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

M.A.(C)No 499 /2006

APPELLANT : Madhusudan Goswami

Claimant Aged about 38 years

S/o. Shri Bharat Goswami, resident of Near Dalla Sher, Jarhabhata, Bilaspur Tahsil and District Bilaspur (C.G.).

VERSUS

RESPONDENTS: 1. Shivji Prasad,

Aged about 42 years, S/o. Rajdhari Prasad, S/o. Anand Transport Tifra, P.S. Civil Line Bilaspur, Tahsil and District Bilaspur (C.G.)

2. Rewatiraman Gadhwal, S/o. Ramvijay Pratap Singh Ghadwal, resident of Aanand Transport & Travelers Tifra, P.S. Civil Line, Bilaspur (C.G.)

3. The New India Insurance Company Limited, Opposite Rajeev Plaja, Bus Stand Bilaspur, Tahsil and District Bilaspur (C.G.)

P.R. No. 3544/06
Presented by Shri Rakesh Sahu
dated 24/11/06

(3) (K)

Claim before the Tribunal Rs.05,80,000/-

Awarded amount Rs. 84,600/-

Same in the present appeal.

MISCELLANEOUS APPEAL U/S 173 OF THE MOTOR VEHICLE ACT, 1988

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.A.(C.) No. 499/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DB : HON'BLE SHRI L.C. BHADOO, Ag.C.J.
& HON'BLE SHRI DHIRENDRA MISHRA, J

2-1-2007

Shri Gautam Khetrapal, Adv. for the appellant.

Heard.

This appeal has been preferred against the award dated 5-9-2006 passed in Claim Case No. 27/2006 by First Additional Motor Accident Claims Tribunal, Bilaspur. Grievance of the appellant is that the appellant was not able to perform his duties for four months whereas he has been awarded two months' salary.

We have perused the impugned award. Learned Tribunal has awarded Rs. 25,000/- for pain and suffering, Rs. 10,000/- for special expenses when he was in hospital, Rs. 40,000/- for treatment and medicines and Rs. 9,600/- for loss of work and thereby a total sum of Rs. 84,600/- has been awarded. There is nothing on record to show that the appellant remained absent from duty for four months and two months' salary has already been awarded by the learned Tribunal and on other count also just and reasonable amount has been awarded, as such we do not find any illegality or infirmity in the impugned award. The appeal being devoid of substance is liable to be dismissed and it is hereby dismissed.

Sd/-
Ag. Chief Justice

Sd/-
Dhirendra Mishra
Judge

P.T.O.